

PATENT

Attorney Docket No.: 39766-0035

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventor(s): Wei-Qiang Gao et al.

Application No.: 09/849,868

Filed: May 4, 2001

Title: HAIR CELL DISORDERS

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Art Unit: 1647

Examiner: Gamett, Daniel C.

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**FILED VIA EFS – FEBRUARY 21, 2007**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy is provided of each foreign patent, each cited pending unpublished U.S. application, and all additional publications other than U.S. patents and U.S. patent application publications. 37 C.F.R. §§1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609. The references were cited in a search report for the corresponding European patent application. A copy of the search report is enclosed.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☒ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No.: 39766-0035).

Respectfully submitted,

HELLER EHRMAN LLP

Dated: February 21, 2007

By: 

JAMES A. FOX  
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<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>		ATTY. DOCKET NO. 39766-0035		SERIAL NO. 09/849,868			
		APPLICANT: Wei-Qiang Gao et al.					
		FILING DATE: 5/04/2001		GROUP: 1647			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Davis et al., "Use of Teleost Sacculle to Identify Genes Involved in Inner Ear Function", DNA Cell Biol. 14(10):833-839 (1995).						
	Hume et al., "ErbB Expression: The Mouse Inner Ear and Maturation of the Mitogenic Response to Heregulin" JARO 04:422-443 (2003).						
	Soler et al., "Sudden Gearing Loss. Treatment with Piracetam", Acta Otorrinolaring. Esp., 48:1, pp.21-25 (1997).						
	Zheng et al., "Induction of Cell Proliferation by Fibroblast and Insulin like Growth Factors in Pure Rat Inner Ear Epithelial Cell Cultures", J. Neurosci. 17(1):216-226 (1997).						
	Zheng et al., "Heregulin Enhances Regenerative Proliferation in Postnatal Rat Utricular Sensory Epithelium after Ototoxic Damage", Journal of Neurocytology 28:901-912 (1999).						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.